

Sec.		Sec.	
	(a) In general.		(s) Devices subject to performance standards not bearing requisite labeling.
	(b) Petition.		(t) Devices for which there has been a failure or refusal to give required notification or to furnish required material or information.
350c.	(c) "New dietary ingredient" defined.		(u) Identification of manufacturer.
	Maintenance and inspection of records.		(v) Reprocessed single-use devices.
	(a) Records inspection.		(w) New animal drugs.
	(b) Regulations concerning record-keeping.	353.	Exemptions and consideration for certain drugs, devices, and biological products.
	(c) Protection of sensitive information.		(a) Regulations for goods to be processed, labeled, or repacked elsewhere.
350d.	(d) Limitations.		(b) Prescription by physician; exemption from labeling and prescription requirements; misbranded drugs; compliance with narcotic and marihuana laws.
	Registration of food facilities.		(c) Sales restrictions.
	(a) Registration.		(d) Distribution of drug samples.
	(b) Facility.		(e) Wholesale distributors; guidelines for licensing; definitions.
	(c) Rule of construction.		(f) Veterinary prescription drugs.
SUBCHAPTER V—DRUGS AND DEVICES			(g) Regulation of combination products.
PART A—DRUGS AND DEVICES		353a.	Pharmacy compounding.
351.	Adulterated drugs and devices.		(a) In general.
	(a) Poisonous, insanitary, etc., ingredients; adequate controls in manufacture.		(b) Compounded drug.
	(b) Strength, quality, or purity differing from official compendium.		(c) Advertising and promotion.
	(c) Misrepresentation of strength, etc., where drug is unrecognized in compendium.		(d) Regulations.
	(d) Mixture with or substitution of another substance.		(e) Application.
	(e) Devices not in conformity with performance standards.		(f) "Compounding" defined.
	(f) Certain class III devices.	354.	Veterinary feed directive drugs.
	(g) Banned devices.		(a) Lawful veterinary feed directive requirement.
	(h) Manufacture, packing, storage, or installation of device not in conformity with applicable requirements or conditions.		(b) Labeling and advertising.
	(i) Failure to comply with requirements under which device was exempted for investigational use.	355.	New drugs.
352.	Misbranded drugs and devices.		(a) Necessity of effective approval of application.
	(a) False or misleading label.		(b) Filing application; contents.
	(b) Package form; contents of label.		(c) Period for approval of application; period for, notice, and expedition of hearing; period for issuance of order.
	(c) Prominence of information on label.		(d) Grounds for refusing application; approval of application; "substantial evidence" defined.
	(d) Repealed.		(e) Withdrawal of approval; grounds; immediate suspension upon finding imminent hazard to public health.
	(e) Designation of drugs or devices by established names.		(f) Revocation of order refusing, withdrawing or suspending approval of application.
	(f) Directions for use and warnings on label.		(g) Service of orders.
	(g) Representations as recognized drug; packing and labeling; inconsistent requirements for designation of drug.		(h) Appeal from order.
	(h) Deteriorative drugs; packing and labeling.		(i) Exemptions of drugs for research; discretionary and mandatory conditions; direct reports to Secretary.
	(i) Drug; misleading container; imitation; offer for sale under another name.		(j) Abbreviated new drug applications.
	(j) Health-endangering when used as prescribed.		(k) Records and reports; required information; regulations and orders; access to records.
	(k), (l) Repealed.		(l) Public disclosure of safety and effectiveness data.
	(m) Color additives; packing and labeling.		(m) "Patent" defined.
	(n) Prescription drug advertisements: established name; quantitative formula; side effects, contraindications, and effectiveness; prior approval; false advertising; labeling; construction of the Convention on Psychotropic Substances.		(n) Scientific advisory panels.
	(o) Drugs or devices from nonregistered establishments.	355a.	Pediatric studies of drugs.
	(p) Packaging or labeling of drugs in violation of regulations.		(a) Definitions.
	(q) Restricted devices using false or misleading advertising or used in violation of regulations.		(b) Market exclusivity for new drugs.
	(r) Restricted devices not carrying requisite accompanying statements in advertisements and other descriptive printed matter.		(c) Market exclusivity for already-marketed drugs.
			(d) Conduct of pediatric studies.
			(e) Delay of effective date for certain application.
			(f) Notice of determinations on studies requirement.
			(g) Limitations.
			(h) Relationship to pediatric research requirements.

Sec.		Sec.	
	(i) Labeling supplements.		(b) Annual registration.
	(j) Dissemination of pediatric information.		(c) New producers.
	(k) Clarification of interaction of market exclusivity under this section and market exclusivity awarded to an applicant for approval of a drug under section 355(j) of this title.		(d) Additional establishments.
	(l) Prompt approval of drugs under section 355(j) of this title when pediatric information is added to labeling.		(e) Registration number; uniform system for identification of devices intended for human use.
	(m) Report.		(f) Availability of registrations for inspection.
	(n) Sunset.		(g) Exclusions from application of section.
355b.	Adverse-event reporting.		(h) Inspection of premises.
	(a) Toll-free number in labeling.		(i) Registration of foreign establishments.
	(b) Drugs with pediatric market exclusivity.		(j) Filing of lists of drugs and devices manufactured, prepared, propagated and compounded by registrants; statements; accompanying disclosures.
355c.	Research into pediatric uses for drugs and biological products.		(k) Report preceding introduction of devices into interstate commerce.
	(a) New drugs and biological products.		(l) Exemption from reporting requirements.
	(b) Marketed drugs and biological products.		(m) List of exempt class II devices; determination by Secretary; publication in Federal Register.
	(c) Meaningful therapeutic benefit.		(n) Review of report; time for determination by Secretary.
	(d) Submission of assessments.		(o) Reprocessed single-use devices.
	(e) Meetings.		(p) Electronic registration.
	(f) Scope of authority.		
	(g) Orphan drugs.		
	(h) Integration with other pediatric studies.	360a.	Repealed.
356.	Fast track products.	360b.	New animal drugs.
	(a) Designation of drug as fast track product.		(a) Unsafe new animal drugs and animal feed containing such drugs; conditions of safety; exemption of drugs for research; import tolerances.
	(b) Approval of application for fast track product.		(b) Filing application for uses of new animal drug; contents; patent information; abbreviated application; pre-submission conference.
	(c) Review of incomplete applications for approval of fast track product.		(c) Period for submission and approval of application; period for notice and expedition of hearing; period for issuance of order; abbreviated applications; withdrawal periods; effective date of approval; relationship to other applications; withdrawal or suspension of approval; bioequivalence; filing of additional patent information.
	(d) Awareness efforts.		(d) Grounds for refusing application; approval of application; factors; "substantial evidence" defined; combination drugs.
356-1.	Accelerated approval of priority countermeasures.		(e) Withdrawal of approval; grounds; immediate suspension upon finding imminent hazard to health of man or animals.
	(a) In general.		(f) Revocation of order refusing, withdrawing or suspending approval of application.
	(b) Use of animal trials.		(g) Service of orders.
	(c) Priority review of drugs and biological products.		(h) Appeal from order.
	(d) Definitions.		(i) Publication in Federal Register; effective date and revocation or suspension of regulation.
356a.	Manufacturing changes.		(j) Exemption of drugs for research; discretionary and mandatory conditions.
	(a) In general.		(k) Food containing new animal drug considered unadulterated while approval of application for such drug is effective.
	(b) Validation of effects of changes.		(l) Records and reports; required information; regulations and orders; examination of data; access to records.
	(c) Major manufacturing changes.		(m) Feed mill licenses.
	(d) Other manufacturing changes.		(n) Abbreviated applications for new animal drugs; contents, filing, etc.; lists of approved drugs.
356b.	Reports of postmarketing studies.		
	(a) Submission.		
	(b) Consideration of information as public information.		
	(c) Status of studies and reports.		
	(d) Disclosure.		
	(e) Notification.		
356c.	Discontinuance of life saving product.		
	(a) In general.		
	(b) Reduction in notification period.		
	(c) Distribution.		
357.	Repealed.		
358.	Authority to designate official names.		
	(a) Necessity or desirability; use in official compendiums; infringement of trademarks.		
	(b) Review of names in official compendiums.		
	(c) Determinations of complexity, usefulness, multiplicity, or lack of name; designation by Secretary.		
	(d) Revised official names; compilation, publication, and public distribution of listings.		
	(e) Request by compiler of official compendium for designation of name.		
359.	Nonapplicability of subchapter to cosmetics.		
360.	Registration of producers of drugs or devices.		
	(a) Definitions.		

Sec.		Sec.	
	(o) "Patent" defined.	360k.	State and local requirements respecting devices.
	(p) Safety and effectiveness data.		(a) General rule.
360c.	Classification of devices intended for human use.		(b) Exempt requirements.
	(a) Classes of devices.	360l.	Postmarket surveillance.
	(b) Classification panels.		(a) In general.
	(c) Classification panel organization and operation.		(b) Surveillance approval.
	(d) Panel recommendation; publication; priorities.	360m.	Accredited persons.
	(e) Classification changes.		(a) In general.
	(f) Initial classification and reclassification of certain devices.		(b) Accreditation.
	(g) Information.		(c) Duration.
	(h) Definitions.		(d) Report.
	(i) Substantial equivalence.	PART B—DRUGS FOR RARE DISEASES OR CONDITIONS	
360d.	Performance standards.	360aa.	Recommendations for investigations of drugs for rare diseases or conditions.
	(a) Reasonable assurance of safe and effective performance; periodic evaluation.		(a) Request by sponsor; response by Secretary.
	(b) Establishment of a standard.		(b) Regulations.
	(c) Recognition of standard.	360bb.	Designation of drugs for rare diseases or conditions.
360e.	Premarket approval.		(a) Request by sponsor; preconditions; "rare disease or condition" defined.
	(a) General requirement.		(b) Notification of discontinuance of drug or application as condition.
	(b) Regulation to require premarket approval.		(c) Notice to public.
	(c) Application for premarket approval.		(d) Regulations.
	(d) Action on application for premarket approval.	360cc.	Protection for drugs for rare diseases or conditions.
	(e) Withdrawal and temporary suspension of approval of application.		(a) Exclusive approval, certification, or license.
	(f) Product development protocol.		(b) Exceptions.
	(g) Review.	360dd.	Open protocols for investigations of drugs for rare diseases or conditions.
	(h) Service of orders.	360ee.	Grants and contracts for development of drugs for rare diseases and conditions.
	(i) Revision.		(a) Authority of Secretary.
360f.	Banned devices.		(b) Definitions.
	(a) General rule.		(c) Authorization of appropriations.
	(b) Special effective date.	PART C—ELECTRONIC PRODUCT RADIATION CONTROL	
360g.	Judicial review.	360hh.	Definitions.
	(a) Petition; record.	360ii.	Program of control.
	(b) Additional data, views, and arguments.		(a) Establishment.
	(c) Standard for review.		(b) Powers of Secretary.
	(d) Finality of judgments.		(c) Record keeping.
	(e) Remedies.	360jj.	Studies by Secretary.
	(f) Statement of reasons.		(a) Report to Congress.
360h.	Notification and other remedies.		(b) Participation of other Federal agencies.
	(a) Notification.		(c) Organization of studies and participation.
	(b) Repair, replacement, or refund.	360kk.	Performance standards for electronic products.
	(c) Reimbursement.		(a) Promulgation of regulations.
	(d) Effect on other liability.		(b) Administrative procedure.
	(e) Recall authority.		(c) Publication in Federal Register.
360i.	Records and reports on devices.		(d) Judicial review.
	(a) General rule.		(e) Availability of record.
	(b) User reports.		(f) Technical Electronic Product Radiation Safety Standards Committee.
	(c) Persons exempt.		(g) Review and evaluation.
	(d) Repealed.		(h) Product certification.
	(e) Device tracking.	360ll.	Notification of defects in and repair or replacement of electronic products.
	(f) Reports of removals and corrections.		(a) Notification; exemption.
360j.	General provisions respecting control of devices intended for human use.		(b) Method of notification.
	(a) General rule.		(c) Requisite elements of notification.
	(b) Custom devices.		(d) Copies to Secretary of communications by manufacturers to dealers or distributors regarding defects.
	(c) Trade secrets.		(e) Notice from Secretary to manufacturer of defects or failure to comply with standards.
	(d) Notices and findings.		(f) Correction of defects.
	(e) Restricted devices.		(g) Effective date.
	(f) Good manufacturing practice requirements.	360mm.	Imports.
	(g) Exemption for devices for investigational use.		(a) Refusal of admission to noncomplying electronic products.
	(h) Release of information respecting safety and effectiveness.		
	(i) Proceedings of advisory panels and committees.		
	(j) Traceability.		
	(k) Research and development.		
	(l) Transitional provisions for devices considered as new drugs.		
	(m) Humanitarian device exemption.		

- Sec. (b) Bond.
 (c) Liability of owner or consignee for expenses connected with refusal of admission.
 (d) Designation of agent for purposes of service.
- 360nn. Inspection, records, and reports.
 (a) Inspection of premises.
 (b) Record keeping.
 (c) Disclosure of technical data.
 (d) Public nature of reports.
 (e) Trade secrets.
 (f) Information required to identify and locate first purchasers of electronic products.
- 360oo. Prohibited acts.
- 360pp. Enforcement.
 (a) Jurisdiction of courts.
 (b) Penalties.
 (c) Venue; process.
 (d) Warnings.
 (e) Compliance with regulations.
 (f) Additional remedies.
- 360qq. Repealed.
- 360rr. Federal-State cooperation.
- 360ss. State standards.

PART D—DISSEMINATION OF TREATMENT INFORMATION

- 360aaa. Requirements for dissemination of treatment information on drugs or devices.
 (a) In general.
 (b) Specific requirements.
 (c) Additional information.
- 360aaa-1. Information authorized to be disseminated.
 (a) Authorized information.
 (b) Reference publication.
- 360aaa-2. Establishment of list of articles and publications disseminated and list of providers that received articles and reference publications.
 (a) In general.
 (b) Records.
- 360aaa-3. Requirement regarding submission of supplemental application for new use; exemption from requirement.
 (a) In general.
 (b) Certification on supplemental application; condition in case of completed studies.
 (c) Certification on supplemental application; condition in case of planned studies.
 (d) Exemption from requirement of supplemental application.
 (e) Requirements regarding applications.
- 360aaa-4. Corrective actions; cessation of dissemination.
 (a) Postdissemination data regarding safety and effectiveness.
 (b) Cessation of dissemination.
 (c) Corrective actions by manufacturers.
- 360aaa-5. Definitions.
- 360aaa-6. Rules of construction.
 (a) Unsolicited request.
 (b) Dissemination of information on drugs or devices not evidence of intended use.
 (c) Patent protection.
 (d) Authorization for dissemination of articles and fees for reprints of articles.

PART E—GENERAL PROVISIONS RELATING TO DRUGS AND DEVICES

- 360bbb. Expanded access to unapproved therapies and diagnostics.
 (a) Emergency situations.
 (b) Individual patient access to investigational products intended for serious diseases.

- Sec. (c) Treatment investigational new drug applications and treatment investigational device exemptions.
 (d) Termination.
 (e) Definitions.
- 360bbb-1. Dispute resolution.
- 360bbb-2. Classification of products.
 (a) Request.
 (b) Statement.
 (c) Inaction of Secretary.
- 360bbb-3. Authorization for medical products for use in emergencies.
 (a) In general.
 (b) Declaration of emergency.
 (c) Criteria for issuance of authorization.
 (d) Scope of authorization.
 (e) Conditions of authorization.
 (f) Duration of authorization.
 (g) Revocation of authorization.
 (h) Publication; confidential information.
 (i) Actions committed to agency discretion.
 (j) Rules of construction.
 (k) Relation to other provisions.
 (l) Option to carry out authorized activities.

PART F—NEW ANIMAL DRUGS FOR MINOR USE AND MINOR SPECIES

- 360ccc. Conditional approval of new animal drugs for minor use and minor species.
 (a) Application requirements; contents; restrictions.
 (b) Order of approval or hearing.
 (c) Order of approval or refusal after hearing.
 (d) Effective period; renewal; refusal of renewal.
 (e) Withdrawal of conditional approval.
 (f) Labeling.
 (g) Amendment of application.
 (h) Order of approval after conditional approval period termination.
 (i) Judicial review.
 (j) Definition.
- 360ccc-1. Index of legally marketed unapproved new animal drugs for minor species.
 (a) Establishment and content.
 (b) Conferences.
 (c) Request for determination of eligibility for inclusion in index.
 (d) Request for addition to index.
 (e) Index contents; publication.
 (f) Removal from index; suspended listing.
 (g) Regulations concerning exemptions for investigational use.
 (h) Labeling contents.
 (i) Records and reports.
 (j) Public disclosure of safety and effectiveness data.
- 360ccc-2. Designated new animal drugs for minor use or minor species.
 (a) Designation.
 (b) Grants and contracts for development of designated new animal drugs.
 (c) Exclusivity for designated new animal drugs.

SUBCHAPTER VI—COSMETICS

361. Adulterated cosmetics.
 362. Misbranded cosmetics.
 363. Regulations making exemptions.
 364. Repealed.

SUBCHAPTER VII—GENERAL AUTHORITY

PART A—GENERAL ADMINISTRATIVE PROVISIONS

371. Regulations and hearings.

Sec.		Sec.	
	(a) Authority to promulgate regulations. (b) Regulations for imports and exports. (c) Conduct of hearings. (d) Effectiveness of definitions and standards of identity. (e) Procedure for establishment. (f) Review of order. (g) Copies of records of hearings. (h) Guidance documents.		(f) Exemptions.
372.	Examinations and investigations. (a) Authority to conduct. (b) Availability to owner of part of analysis samples. (c) Records of other departments and agencies. (d) Information on patents for drugs. (e) Powers of enforcement personnel.		PART C—FEES
372a.	Transferred.		SUBPART 1—FREEDOM OF INFORMATION FEES
373.	Records of interstate shipment.	379f.	Recovery and retention of fees for freedom of information requests. (a) In general. (b) Use of fees. (c) Waiver of fees.
374.	Inspection. (a) Right of agents to enter; scope of inspection; notice; promptness; exclusions. (b) Written report to owner; copy to Secretary. (c) Receipt for samples taken. (d) Analysis of samples furnished owner. (e) Accessibility of records. (f) Recordkeeping. (g) Inspections by accredited persons.		SUBPART 2—FEES RELATING TO DRUGS
374a.	Inspections relating to food allergens.	379g.	Definitions.
375.	Publicity. (a) Reports. (b) Information regarding certain goods.	379h.	Authority to assess and use drug fees. (a) Types of fees. (b) Fee revenue amounts. (c) Adjustments. (d) Fee waiver or reduction. (e) Effect of failure to pay fees. (f) Limitations. (g) Crediting and availability of fees. (h) Collection of unpaid fees. (i) Written requests for waivers, reductions, and refunds. (j) Construction.
376.	Examination of sea food on request of packer; marking food with results; fees; penalties.		SUBPART 3—FEES RELATING TO DEVICES
377.	Revision of United States Pharmacopoeia; development of analysis and mechanical and physical tests.	379i.	Definitions.
378.	Advertising of foods. (a) Determination of misbranding; notification of Federal Trade Commission by Secretary; contents. (b) Action by Federal Trade Commission precluding action by Secretary; exception. (c) Secretary's determination of imminent hazard to health as suspending applicability of provisions. (d) Coordination of action by Secretary with Federal Trade Commission.	379j.	Authority to assess and use device fees. (a) Types of fees. (b) Fee revenue amounts. (c) Adjustments. (d) Small businesses; fee waiver and fee reduction regarding premarket approval fees. (e) Small businesses; fee reduction regarding premarket notification submissions. (f) Effect of failure to pay fees. (g) Conditions. (h) Crediting and availability of fees. (i) Collection of unpaid fees. (j) Written requests for refunds. (k) Construction.
379.	Confidential information.		SUBPART 4—FEES RELATING TO ANIMAL DRUGS
379a.	Presumption of existence of jurisdiction.	379j-11.	Definitions.
379b.	Consolidated administrative and laboratory facility. (a) Authority. (b) Awarding of contract. (c) Donations. (d) Authorization of appropriations.	379j-12.	Authority to assess and use animal drug fees. (a) Types of fees. (b) Fee amounts. (c) Adjustments. (d) Fee waiver or reduction. (e) Effect of failure to pay fees. (f) Assessment of fees. (g) Crediting and availability of fees. (h) Collection of unpaid fees. (i) Written requests for waivers, reductions, and refunds. (j) Construction. (k) Abbreviated new animal drug applications.
379c.	Transferred.		PART D—INFORMATION AND EDUCATION
379d.	Automation of Food and Drug Administration. (a) In general. (b) Authorization of appropriations.	379k.	Information system.
	PART B—COLORS	379l.	Education. (a) In general. (b) Intramural fellowships and other training programs.
379e.	Listing and certification of color additives for foods, drugs, devices, and cosmetics. (a) Unsafe color additives. (b) Listing of colors; regulations; issuance, amendment or repeal; referral to advisory committee; report and recommendations; appointment and compensation of advisory committee. (c) Certification of colors. (d) Procedure for issuance, amendment, or repeal of regulations. (e) Fees.		PART E—ENVIRONMENTAL IMPACT REVIEW
		379o.	Environmental impact.
			PART F—NATIONAL UNIFORMITY FOR NONPRESCRIPTION DRUGS AND PREEMPTION FOR LABELING OR PACKAGING OF COSMETICS
		379r.	National uniformity for nonprescription drugs.

- Sec. (a) In general.
(b) Exemption.
(c) Scope.
(d) Exceptions.
(e) No effort on product liability law.
(f) State enforcement authority.
- 379s. Preemption for labeling or packaging of cosmetics.
(a) In general.
(b) Exemption.
(c) Scope.
(d) No effect on product liability law.
(e) State initiative.
- PART G—SAFETY REPORTS
- 379v. Safety report disclaimers.
- SUBCHAPTER VIII—IMPORTS AND EXPORTS
381. Imports and exports.
(a) Imports; list of registered foreign establishments; samples from unregistered foreign establishments; examination and refusal of admission.
(b) Disposition of refused articles.
(c) Charges concerning refused articles.
(d) Reimportation.
(e) Exports.
(f) Labeling of exported drugs.
(g) Warning notice of importation in violation of chapter.
(h) Protection against adulteration of food.
(i) Testing for rapid detection of adulteration of food.
(j) Temporary holds at ports of entry.
(k) Importation by debarred persons.
(l) Failure to register.
(m) Prior notice of imported food shipments.
(n) Labeling of food refused admission.
(o) Registration statement.
382. Exports of certain unapproved products.
(a) Drugs or devices intended for human or animal use which require approval or licensing.
(b) List of eligible countries for export; criteria for addition to list; direct export; petition for exemption.
(c) Investigational use exemption.
(d) Anticipation of market authorization.
(e) Diagnosis, prevention, or treatment of tropical disease.
(f) Prohibition of export of drug or device.
(g) Notification of Secretary.
(h) References to Secretary and term “drug”.
(i) Exportation.
383. Office of International Relations.
(a) Establishment.
(b) Agreements with foreign countries.
(c) Harmonizing regulatory requirements.
384. Importation of prescription drugs.
(a) Definitions.
(b) Regulations.
(c) Limitation.
(d) Information and records.
(e) Testing.
(f) Registration of foreign sellers.
(g) Suspension of importation.
(h) Approved labeling.
(i) Charitable contributions.
(j) Waiver authority for importation by individuals.
(k) Construction.
(l) Effectiveness of section.
(m) Authorization of appropriations.

- Sec. SUBCHAPTER IX—MISCELLANEOUS
391. Separability clause.
392. Exemption of meats and meat food products.
(a) Law determinative of exemption.
(b) Laws unaffected.
393. Food and Drug Administration.
(a) In general.
(b) Mission.
(c) Interagency collaboration.
(d) Commissioner.
(e) Technical and scientific review groups.
(f) Agency plan for statutory compliance.
(g) Annual report.
- 393a. Office of Pediatric Therapeutics.
(a) Establishment.
(b) Duties.
(c) Staff.
394. Scientific review groups.
395. Loan repayment program.
(a) In general.
(b) Applicability of certain provisions.
(c) Authorization of appropriations.
396. Practice of medicine.
397. Contracts for expert review.
(a) In general.
(b) Review of expert review.
398. Notices to States regarding imported food.
(a) In general.
(b) Rule of construction.
399. Grants to States for inspections.
(a) In general.
(b) Notices regarding adulterated imported food.
(c) Authorization of appropriations.

SUBCHAPTER I—SHORT TITLE

§ 301. Short title

This chapter may be cited as the Federal Food, Drug, and Cosmetic Act.

(June 25, 1938, ch. 675, § 1, 52 Stat. 1040.)

EFFECTIVE DATE; POSTPONEMENT IN CERTAIN CASES

Act June 23, 1939, ch. 242, §§ 1, 2, 53 Stat. 853, 854, provided that:

“[SEC. 1] (a) The effective date of the following provisions of the Federal Food, Drug, and Cosmetic Act is hereby postponed until January 1, 1940: Sections 402(c) [342(c) of this title]; 403(e)(1) [343(e)(1) of this title]; 403(g), (h), (i), (j), and (k) [343(g) to (k) of this title]; 501(a), (4) [351(a)(4) of this title]; 502(b), (d), (e), (f), (g), and (h) [352(b), (d) to (h) of this title]; 601(e) [361(e) of this title]; and 602(b) [362(b) of this title].

“(b) The Secretary of Agriculture shall promulgate regulations further postponing to July 1, 1940 the effective date of the provisions of sections 403(e)(1) [343(e)(1) of this title]; 403(g), (h), (i), (j), and (k) [343(g) to (k)]; 502(b), (d), (e), (f), (g), and (h) [352(b), (d) to (h) of this title]; and 602(b) [362(b) of this title] of such Act with respect to lithographed labeling which was manufactured prior to February 1, 1939, and to containers bearing labeling which, prior to February 1, 1939, was lithographed, etched, stamped, pressed, printed, fused or blown on or in such containers, where compliance with such provisions would be unduly burdensome by reason of causing the loss of valuable stocks of such labeling or containers, and where such postponement would not prevent the public interest being adequately served: Provided, That in no case shall such regulations apply to labeling which would not have complied with the requirements of the Food and Drugs Act of June 30, 1906, as amended.

“SEC. 2. (a) The provisions of section 8 [section 10 of this title], paragraph fifth, under the heading ‘In the case of food:’, of the Food and Drugs Act of June 30,